



Bay Minette Planning Commission Regular Meeting Minutes

Minutes July 10, 2025

Monthly Meeting No. 7

The City of Bay Minette Planning Commission met in Regular Session on Thursday, July 10, 2025. The meeting was called to order at 8:00 a.m. by Chairman Todd Stewart, in the Council Chambers located in Bay Minette City Hall, at 301 D'Olive Street, Bay Minette, Alabama; this being the proper place, date and hour as advertised to hold such meeting.

IN ATTENDANCE

At 8:00 a.m. the following members were present, and a quorum established

Todd Stewart, Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official/Commission Member
William Taylor, City Council/Commission Member
Hiram Templeton, Commission Member
Neal Covington, Vice-Chairman
Earl Emmons, Commission Member
Jim Faulkner, Commission Member

Commission Members absent

None

Commission Members late

None

Other persons in regular attendance

Lauren Collinsworth, Attorney
Tammy Smith, City Administrator
Clair Dorrough, City Planner
Madison Workman, Planner Technician
Steven Stewart, Fire Inspector
Kristina Pittman, North Baldwin Chamber of Commerce
Paula Bonner, Planner Associate

Guests

Jason Padgett, North Baldwin Utilities
Jeff Donald, North Baldwin Utilities
Bonnie Davis, 120 W 14th Street
Bruce Andrews 200 W 14th Street
Toby Eaton, 119 W 15th Street
Derrick Bishop, SP-25006 Deliverance Ministries
Michael A. Johnson, SD-25005 S&W Adventures
Charles Mason, 209 E Ellis Street
Amy Cotton Ronquille, 201 W 15th Street
Michael A. Smith, S&W Adventures
John Lancaster, 1305 Hall Avenue
Mary Presley, 118 W 15th Street

INVOCATION Mr. Templeton presented the invocation, followed by the pledge.

ITEM 3. Announcements/Registration to address the Commission

ITEM 4. Approval of the June 12, 2025, Regular Meeting Minutes
Mayor Wills made a motion to approve the June minutes as written. The motion was seconded by Mr. Emmons and carried unanimously.

ITEM 5. Disclosure of Prior Communications and/or Conflicts of Interest
None

ITEM 6. New Business

a.) SP-25006, Deliverance Ministries Property Site Plan Approval Request

Mrs. Bonner presented the Site Plan Approval Request for the new construction addition of a 2,975± square foot indoor gym to an existing daycare/church facility located on the Deliverance Ministries Property (PINs 64144 & 233943). The site consists of two (2) parcels totaling approximately 1.7± acres in size, located on the south side of E. Hickory Street along the east side of Lamar Drive zoned B-2, General Commercial District. Mrs. Bonner reported that the Staff Recommendation for Case SP-25006 is to approve the request as presented.

This was followed by discussion on the topics listed below:

- The address correction Baldwin County 911 Addressing issued, which is 420 E. Hickory Street.
- The Planning Commission recommendation of approval to rezone the property on April 9, 2002 which was based on the restriction that the property can never be used for anything but a daycare center or church.
- Ordinance 876 which City Council passed on June 3, 2002 to rezone the property from R-3 to B-2 "for the sole and exclusive purpose of housing a child day care facility".
- The submitted calculations which were for the existing parking, sidewalks, buildings and the proposed building and sidewalks. Open space, tree protection, landscaping, and buffering calculations were not submitted because the use is not increasing. The existing parking is already approved and in place. The proposed addition is for the existing use, which is not expanding.
- The requirement that the daycare must provide a certain amount of play time, the current fenced outdoor play area on the north side of the building, and reason for the proposed addition is to have an indoor play area to be used during extreme weather conditions, such as when it is too hot or too cold.

With no further discussion, Councilman Taylor made a motion to approve Case SP-25006 as presented. The motion was seconded by Mr. Covington and carried unanimously.

b.) SD-25005, S&W Adventures Property Major Subdivision Preliminary Plat Approval Request

Mrs. Dorough presented the Major Eight (8) Lot Subdivision Preliminary Plat Approval Request for approximately 1.84± acres fronting on W 14th Street and W 15th Street between McMillian Avenue and Hand Avenue, zoned R-2, Medium Density Single Family Residential District. The proposal is to subdivide four (4) existing parcels (PINs 41198, 106373, 113933, & 71731) into eight (8) lots for single-family use resulting in Lot 1 containing 7,971± square feet (0.18± acres), Lot 2 containing 8,459± (0.19±) acres, Lot 3 containing 8,984± square feet (0.21± acres), Lot 4 containing 9,701± square feet (0.22± acres), Lot 5 containing 15,037± (0.35± acres), Lot 6 containing 11,367 square feet (0.26± acres), Lot 7 containing 10,056± square feet (0.23± acres) and Lot 8 containing 8,563± square feet (0.20± acres). The primary purpose of the proposed subdivision is to correct and/or decrease the non-conformities and violations as much as possible.

Mrs. Dorough reported Staff Recommendation for Case SD-25005, S&W Adventures Property Major eight (8) Lot Subdivision Preliminary Plat Approval Request that the Planning Commission Delay Action until:

- 1) Utility and flooding concerns can be addressed, reviewed and approved by City Engineering and North Baldwin Utilities.
- 2) Plat is revised as detailed in the staff report related to Subdivision Regulation compliance and showing the highest compliance with the Zoning Ordinance standards in order to request variances for the minimum deviation from the lot width and area requirements.

This was followed by discussion on the topics listed below:

- The existing four (4) parcels currently contain six (6) houses: one (1) parcel contains one (1) house, one (1) parcel contains five (5) houses, and two (2) parcels are vacant. The parcel containing five (5) houses is in violation of the Zoning Ordinance as it is considered a multi-family use in single-family zoning. The original four (4) parcels have existing nonconformity issues due to their configuration and existing structures, which may have been combined by Baldwin County Revenue in order for the property owner to receive on tax bill.
- The current owner, which did not create the nonconformity, is remodeling and renting the homes. The request to reconfigure the lot lines is in order to sell the houses on individual lots. Pictures of the dwellings include one house with several ambulances on site. It was noted that the houses are to be used as a residence and not a business.
- The original parcels were plated as Lots 10-14 in Block 3 of the Northcutt's Subdivision and recorded in 1926 prior to zoning and subdivision regulation authority granted to municipalities in Alabama in 1935, the City of Bay Minette's implementation of Subdivision Regulations in 1951 and the adoption of the Zoning Ordinances in 1952 causing any structures or lots existing at that time to be legally nonconforming. The existing structure can remain but cannot be expanded or sold individually.
- Bay Minette Fire Chief reported no Fire Code related comments, however pointed out flood damage to multiple homes in the 15th Street/McMillian area after the last heavy rainfall and advised that the water run off/drainage be reviewed and considered.
- North Baldwin Utilities expressed sewer concerns and issues due to the history of flooding in the area and reported the owner's willingness to work with NBU to address those issues such as installing separate sewer taps for each house (currently six (6) houses are on one common lateral) and installing 1,000-gallon tanks to address sewer backups and flooding.
- Compliance of Section 3.19.01 Standards for the granting of a waiver modification allows the Planning Commission to approve minimum deviations to the Subdivision Regulations but cannot grant waivers to the Zoning Ordinance or Comprehensive Plan. Only the Board of Adjustment can approve zoning variances, however the Planning Commission can give a recommendation to the Board of Adjustment. Variances should apply to the existing nonconforming structures, lot widths, and lot areas, but not to setbacks. It is recommended that a note be added to the plat stating this and clarifying that the nonconforming structures may be limited in their ability to be expanded, altered, or reconstructed

Chairman Stewart opened the Public Hearing for Case Item 6 (b.) SD-25005, Preliminary Plat Approval Request at 8:55 a.m.

Public Comments:

- Bruce Andrews, resident at 200 W 14th Street, expressed drainage and infrastructure concerns.
- Toby Eaton, resident at 119 W 15th Street, expressed stormwater, drainage and flooding concerns.
- Amy Ronquille, resident 211 W 15th Street, expressed flooding concerns.
- Michael Smith, property owner of SD-25005, explained that the intent is to subdivide the remodeled homes onto individual lots to sell.

Chairman Stewart closed the Public Hearing for Case Item 6 (b.) SD-25005, Final Plat Approval Request at 9:05 a.m.

This was followed by discussion on the topics listed below:

- The fact that the proposed subdivision is not contributing to existing or historical drainage or flooding issues in the area was discussed and that the property owners could build on the two lots without subdividing; however, the subdivision process allows the City Engineer to review and evaluate drainage.
- Although the public hearing was closed, the Chairman allowed Steve Pate of 510 E 5th Street ask about drainage studies, which led to a discussion of past studies, including the most recent one by Volkert Engineering.
- GoMESA grants were discussed, including two recent applications the City submitted following the expansion of grant criteria that were not previously available.
- The legal nonconforming status of the existing houses allows them to remain; however, they cannot be altered, enlarged, or sold separately without subdivision approval.
- The requirement for the Planning Commission to take action within thirty (30) calendar days of formal submission—unless an extension is agreed upon by both the Commission and the applicant—was explained, and the applicant agreed to delay action until the August 14, 2025, regular meeting.

With no further discussion, Mr. Covington made a motion to delay action as recommended by Staff until:

- 1) Utility and flooding concerns can be addressed, reviewed and approved by City Engineering and North Baldwin Utilities.
- 2) Plat is revised as detailed in the staff report related to Subdivision Regulation compliance and showing the highest compliance with the Zoning Ordinance standards in order to request variances for the minimum deviation from the lot width and area requirements.

The motion was seconded by Mr. Templeton and carried unanimously.

c.) Updates & Upcoming Cases

Mrs. Dorrough reported the following:

- Update on Old Towne Commons Phase 1A and Phase 1B
- Rezoning request for property located at the northwest intersection of Jaycee Road and McMeans Avenue north of the High School
- Upcoming regulation amendments to the Zoning Ordinance and Subdivision Regulations due to a zoning interpretation

ITEM 7.

Old Business

a.) June 17th Training Recap

Mrs. Dorrough gave a recap of the recent training attended by most of the Board of Adjustment members and some Planning Commission members

b.) Fire & Life Safety Requirements

Presentation by Fire Captain Steven Stewart

ITEM 8.

Reports

a.) Mayor/Council Report

Mrs. Smith gave updates on grants the City has applied for, Cobblestone Hotel & Suites, and Big Mike's Steakhouse.

b.) Attorney

None

c.) Commission Members

Chairman Stewart reported on an Economic Development Alliance meeting he and Mrs. Pittman attended.

d.) City Engineer Consultant Report

None


e.) Planning Staff
None

f.) Public Comments

Mrs. Pittman with North Baldwin Chamber of Commerce gave an update on recent and upcoming Chamber events.

ITEM 9. With no further business, Chairman Stewart adjourned the meeting at 9:50 a.m. The next regular Planning Commission Meeting is scheduled for August 14, 2025.

DONE THIS THE 10TH DAY OF JULY 2025



Chairman, Todd Stewart

ATTEST:



Paula Bonner, Planner Associate

Motion Summary:

Item 4. Approval of the June 12, 2025, Regular Meeting Minutes:

Mayor Wills made a motion to approve the June minutes as written. The motion was seconded by Mr. Emmons and carried unanimously.

Item 6. (a) SP-25006, Deliverance Ministries Property Site Plan Approval Request:

Councilman Taylor made a motion to approve Case SP-25006 as presented. The motion was seconded by Mr. Covington and carried unanimously

Item 6. (b) SD-25005, S&W Adventures Property Major Subdivision Preliminary Plat Approval Request:

Mr. Covington made a motion to delay action as recommended by Staff until:

- 1) Utility and flooding concerns can be addressed, reviewed and approved by City Engineering and North Baldwin Utilities.
- 2) Plat is revised as detailed in the staff report related to Subdivision Regulation compliance and showing the highest compliance with the Zoning Ordinance standards in order to request variances for the minimum deviation from the lot width and area requirements.

The motion was seconded by Mr. Templeton and carried unanimously.